

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

NO: 4:09-CR-20573

v.

HON. SEAN F. COX
United States District Judge

NATHANIEL SCOTT FLEMING,

Defendant.

**ORDER DELAYING TRIAL
AS A RESULT OF PRETRIAL MOTION**

This matter having come before the Court on the parties' Stipulation that the need for the Court to resolve Defendant's Motion to Suppress Evidence necessitates a delay of the trial of this case, and the Court having reviewed the Stipulation and the Motion and being otherwise fully advised;

The Court hereby finds that delay results from the fact that the Motion to Suppress Evidence was not filed until May 11, 2010, and the evidentiary hearing relating to the Motion to Suppress will not be conducted until June 8, 2010, which was the date set for trial in this matter.

THEREFORE, IT IS ORDERED that the trial of this case be delayed pending resolution of the Motion, and the Court determines that the period of time from the date of filing of Defendant's Motion and continuing through the date on which the Motion is taken under advisement by the Court, as well as an additional period of time (not to exceed 30 days) during

which the Motion is under advisement by the Court, shall be excluded in computing the time within which the trial of this case must commence under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(1)(D) and (H).

S/Sean F. Cox

Sean F. Cox
United States District Judge

Dated: May 26, 2010

I hereby certify that a copy of the foregoing document was served upon counsel of record on May 26, 2010, by electronic and/or ordinary mail.

S/Jennifer Hernandez

Case Manager